

RECEIVED
CENTRAL FAX CENTER

OCT 31 2006

FAX COVER SHEET

The information contained in this facsimile message, if a client of this firm is a named addressee, or the message is otherwise intended for a client, is presumptively legally privileged and confidential information. If you are not a named addressee, or if there is any reason to believe that you may have received this message in error, (1) do not read the message below; (2) do not distribute or copy this facsimile; and (3) please immediately call us collect at the number of the sender below.

DATE: October 31, 2006

TOTAL # OF PAGES:
(INCLUDING THIS COVER SHEET) 14TO: Mail Stop AMENDMENT
Commissioner for Patents

FAX #: (571) 273-8300

ATTN: Examiner: Robin A. Hylton
Art Unit: 3727

PHONE #:

FROM: Victor E. Johnson

FAX #: (415) 398-3249

PHONE #: (415) 781-1989

EMAIL: johnson.victor@dorsey.com

RE:

U.S. Patent Application No. 09/977,151 for
Closure Including Cap and Fitment Having Gripping Member
Filed: October 12, 2001
Our Docket No. A-70895/DJB/VEJ (Matter No. 463678-00192)

COMMENTS:

Kindly acknowledge receipt of the following documents by return facsimile:

- 1) TRANSMITTAL;
- 2) AMIENDMENT AND REPLY; and
- 3) One facsimile cover sheet.

ORIGINAL WILL BE SENT VIA: ☐ MAIL ☐ E-MAIL ☐ MESSENGER ☐ AIR COURIER ☒ WILL NOT BE SENT

PLEASE CONTACT KASIA Z. KAPPES AT (415) 781-1989 IF THIS TRANSMISSION IS INCOMPLETE OR CANNOT BE READ.

REFERENCE # 463678 00192

4835-2003-7121\1

OCT 31 2006

PATENT

Attorney Docket No. A-70895/DJB/VEJ
Attorney Matter No. 463678-00192
Application No. 09/977,151**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Brian M. ADAMS

Application No. 09/977,151

Filed: **October 12, 2001**For: **CLOSURE INCLUDING CAP AND
FITMENT HAVING GRIPPING
MEMBER**Art Unit: **3727**Examiner: **Robin A. Hylton**Docket No.: **A-70895/DJB/VEJ***Certificate of Transmission (37 C.F.R. § 1.8(a))**I hereby certify that this correspondence is being facsimile transmitted
to the U.S. Patent and Trademark Office, Facsimile number (571) 273-
8300 on October 31, 2006.**Kasia Z. Kappas*
Kasia Z. KappasMail Stop AMENDMENT
Commissioner for Patents
P.O. Box 450
Alexandria, VA 22313-1450**TRANSMITTAL**

Sir:

☒ Transmitted herewith is:

- 1) AMENDMENT AND REPLY; and
- 2) One fax cover sheet.

☒ The fees have been calculated as shown below:

	Claims Remaining After Amendment	Minus	Highest Previously Paid For	Percent Extra	Small Entity Rate Fee	OR	Other than a Small Entity Rate Fee
Total Claims	28	-	23	5	x 25 = \$		1 x 50 = \$250
Ind. Claims	3	-	4	0	x 100 = \$		0 x 200 = \$0
[] Multiple Dependent Claim Presented and Fee not Previously Paid					+180 = \$		+360 = \$
					TOTAL \$		TOTAL \$250

Total Additional Claims Fee: **\$ 250.00**Extension of Time Fee: **\$ 0.00**Other fees: **\$ 0.00**

TRANSMITTAL

- 1 -

4835-2003-7121\1

OCT 31 2006

PATENT

Attorney Docket No. A-70895/DJB/VEJ
Attorney Matter No. 463678-00192
Application No. 09/977,151TOTAL FEES: \$ 250.00

- ☐ No fee is required.
- ☐ A check including the amount of the above indicated TOTAL FEES for \$ _____ is attached.
- ☒ Please charge Deposit Account No. 50-2319 (Order No. 463678-00192; Docket No. A-70895/DJB/VEJ) in the amount of \$ 250.00.
- ☒ The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time and for the presentation of extra claims, or credit any overpayment to Deposit Account No. 50-2319 (Order No. 463678-00192; Docket No. A-70895/DJB/VEJ).

Respectfully submitted,

DORSEY & WHITNEY LLP

Date: October 31, 2006By: 

Victor E. Johnson, Reg. No. 41,546

DORSEY & WHITNEY LLP
555 California Street, Suite 1000
San Francisco, California 94104-1513
Telephone: (415) 781-1989 Facsimile: (415) 398-3249

TRANSMITTAL

- 2 -

4835-2003-7121\1

PATENT

Attorney Docket No. A-70895/DJB/VEJ
Attorney Matter No. 463678-00192
Application No. 09/977,151

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Brian M. ADAMS

Application No. 09/977,151

Filed: October 12, 2001

For: CLOSURE INCLUDING CAP AND
FITMENT HAVING GRIPPING
MEMBER

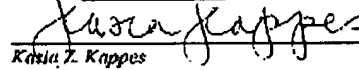
Art Unit: 3727

Examiner: Robin A. Hylton

Docket No.: A-70895/DJB/VEJ

RECEIVED
CENTRAL FAX CENTER

OCT 31 2006

*Certificate of Transmission (37 C.F.R. § 1.8(a))**I hereby certify that this correspondence is being facsimile transmitted
to the U.S. Patent and Trademark Office, Facsimile number (571) 273-
4300 on October 31, 2006.*

Krista Z. Kappes

Mail Stop: AMENDMENT
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND REPLY

Sir:

Responsive to the Office Action of August 10, 2006, Applicant submits the following
Amendment and Remarks.

AMENDMENTS

Amendments to the Claims are reflected in the listing of claims which begins on page 2
of this paper. Remarks, including arguments, begin on page 5 of this paper.11/01/2006 MBINAS 00000040 502319 09977151
01 FC:1202 250.00 DA

AMENDMENT AND REPLY

1 of 11

4821-5249-7153V1